

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,)	CRIMINAL NO.: 3:16cr161-FDW
Plaintiff,)	
)	
v.)	CONSENT ORDER AND
)	JUDGMENT OF FORFEITURE
)	PENDING RULE 32.2(c)(2)
(1) MONICO URAGA ARANZUBIA,)	
Defendant.)	

BASED UPON the Defendant's plea of guilty and finding that there is a nexus between the property listed below and the offense(s) to which the Defendant has pled guilty and that the Defendant (or any combination of Defendants in this case) has or had a possessory interest or other legal interest in the property, IT IS HEREBY ORDERED THAT:

1. The following property is forfeited to the United States pursuant to 18 U.S.C. §§ 981 and 982, 21 U.S.C. § 853 and/or 28 U.S.C. § 2461(c), provided, however, that forfeiture of specific assets is subject to any and all third party petitions under 21 U.S.C. § 853(n), pending final adjudication herein:

Approximately \$10,237.27 in funds seized from J.P. Morgan Chase Bank Account 0212, such account held by or for the benefit of Monico Uruga Aranzubia, Xochitl P. Aranzubia, and the Aranzubia Family Trust;

Approximately \$256.58 in funds seized from J.P. Morgan Chase Bank Account 3263, such account held by or for the benefit of Monico Uruga Aranzubia and Xochitl P. Aranzubia; and

The real property at 417 8th Street, Imperial Beach, California, 91932, more particularly described as PIN Number 626-040-18-00 in the records of the San Diego County Recorder's Office.

Defendant agrees to the forfeiture of above-referenced \$10,493.85 in funds in their entirety to partially satisfy the \$100,000 forfeiture money judgment in this case. Defendant agrees to the forfeiture and sale of the real property, provided, however, that upon final forfeiture and sale of the real property, the Government shall only retain enough proceeds to pay its costs and expenses of maintenance and sale of the real property, plus \$89,506.15 to pay the outstanding \$100,000 forfeiture money judgment in this case. Any amounts from sale of the real property above and beyond the costs and expenses incurred by the Government and \$89,506.15 finally forfeited to the Government shall be turned-over to defense counsel for payment back to Defendant's designee. Further, if Defendant satisfies the \$100,000 money judgment on or before May 5, 2017, the United States agrees to request dismissal of this Order.

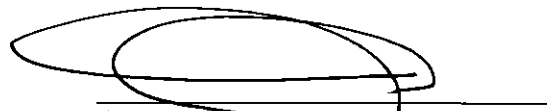
2. If and to the extent required by Fed. R. Crim. P. 32.2(b)(6), 21 U.S.C. § 853(n), and/or other applicable law, the United States shall publish notice and provide direct written notice of forfeiture.

3. Pursuant to Fed. R. Crim. P. 32.2(b)(3), upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of the property, including depositions, interrogatories, and requests for production of documents, and to issue subpoenas pursuant to Fed. R. Civ. P. 45.

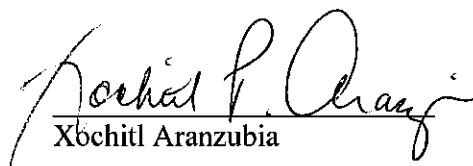
4. A forfeiture money judgment shall be included in the defendant's sentence, and the United States may take steps to collect the judgment from any property of the defendant, provided, the value of any forfeited specific assets shall be credited toward satisfaction of this money judgment upon liquidation.

The parties stipulate and agree that the aforementioned asset(s) constitute property derived from or traceable to proceeds of defendant's crime(s) herein, property used in any manner to facilitate the commission of such offense(s), and/or substitute property are therefore subject to forfeiture pursuant to 18 U.S.C. §§ 981 and 982, 21 U.S.C. § 853 and/or 28 U.S.C. § 2461(c). The defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant. If the defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, defendant hereby withdraws that claim. If defendant has not previously submitted such a claim, defendant hereby waives all right to do so.


JILL WESTMORELAND ROSE
UNITED STATES ATTORNEY


BENJAMIN BAIN-CREED
Assistant United States Attorney
MONICO URAGA ARANZUBIA
Defendant
ANTHONY G. SCHEER, ESQ.
Attorney for Defendant

By her signature hereon, Defendant's spouse, Xochitl Aranzubia, hereby waives any and all rights to contest the forfeiture of any of the properties identified herein, and any and all rights to notice of this forfeiture action. She hereby consents to final forfeiture of the properties identified herein.


Xochitl Aranzubia
Date 4/24/17

Signed this the 24th day of April, 2017.



HONORABLE FRANK D. WHITNEY
CHIEF UNITED STATES DISTRICT JUDGE